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Doc Code: PET.OP

Document Description: Petition for Review by the Office of Petitions

PTO/SB/64 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Angel Palacios

Art Unit: 2165

Application No.: 10/599,384

Examiner: Vu, Baird

Filed: September 27, 2006

Title: Organiser for complex categorisations

Attention: Office of Petitions
 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee

- Small entity-fee \$ _____ (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.
 Other than small entity-fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Corrected claim set (identify type of reply):

- has been filed previously on _____
 is enclosed herewith.
- B. The issue fee and publication fee (if applicable) of \$ _____.
 has been paid previously on _____
 is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/03/2011 LLANDGRA 00000029 10599384 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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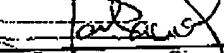
3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication application file and therefore are not publicly available).


Signature

September 25, 2011

Date

Angel Palacios

Type or Printed name

Registration Number, if applicable

Calle Mendez Alvaro 77, portal 4, piso 4B

+34607575567

Address

Telephone Number

28045 Madrid, Spain

Address

Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

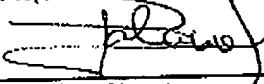
I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

September 25, 2011

Date


Signature

Angel Palacios

Typed or printed name of person signing certificate

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FAX

To: Office of Petitions
From: Angel Palacios
Date: September 25th, 2011
Fax Number: +15712738300
Number of pages: cover + 18
Subject: Petition to Withdraw Holding of Abandonment, Application No. 10/599,384

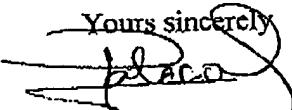
Sirs,

Please accept this Petition to Withdraw the Holding of Abandonment for Application No 10/599,384, mailed on 01/31/2011

In particular, you can find:

- Copy of Notice of Abandonment
- Applicant's statement justifying Petition
- Copy of fax receipt received in the fax machine from USPTO after submitting the response to original Notice
- Copy of applicant's response to original Notice, as faxed on August 2nd, 2010.
This includes: (a) copy of Notice received and (b) replay to the Notice received

Yours sincerely



Angel Palacios



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OFFICE OF PETITIONS

ANGEL PALACIOS
 MENDEZ ALVARO 77
 PORTAL 4 PISO 4B
 MADRID 28045 ES SPAIN

In re Application of	:	
Angel Palacios	:	
Application No. 10/599,384	:	DECISION ON PETITION
Filed: September 27, 2006	:	
Attorney Docket No.	:	

This is a decision on the renewed petition, filed July 8, 2011, under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision should be filed within two (2) months from the mail date of this decision. Note 37 CFR 1.181(f). The request for reconsideration should include a cover letter and be entitled as a "Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment."

This application was held abandoned for failure to reply to the Notice of Non-Compliant mailed July 13, 2010, which set a one (1) month or thirty (30) days period for reply. A Notice of Abandonment was mailed on January 31, 2011.

Petitioner states "My grounds for this renewed petition is that the facsimile transmission must have actually been received in the USPTO, given that I received a successful transmission receipt, which was enclosed in my former petition and is also hereby attached for reference."

In addition to 37 CFR § 1.8, petitioner is also directed to 37 CFR § 1.6(d) which states:

To facilitate proper processing, each transmission session should be limited to correspondence to be filed in a single application or other proceeding before the United States Patent and Trademark Office. The application number of a patent application, the control number of a reexamination proceeding, the interference number of an interference proceeding, or the patent number of a patent should be entered as a part of the sender's identification on a facsimile cover sheet.

Unfortunately, facsimile transmissions are not permitted. Further, the facsimile transmission receipt submitted with the petition on April 12, 2011 does not identify the application with an application number. There is no application number on the facsimile transmission receipt. Petitioner has also failed to submit a facsimile cover sheet, which should itemize each correspondence being facsimiled.

Petitioner is strongly encouraged to consider filing a petition under 37 CFR 1.137(b) to revive an unintentionally abandoned application instead of filing a renewed petition under 37 CFR 1.181 or a petition under 37 CFR 1.137(a).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3210.


Irvin Dingle
Petition Examiner
Office of Petitions

WLDOSR
272 3282

**APPLICANT'S STATEMENT JUSTIFYING
PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION
FOR APPLICATION 10/599,384**

Madrid September 25th, 2011

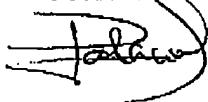
Dear Sirs,

The present application is currently abandoned. It became abandoned because, for some reason, the document I faxed to the USPTO was not received.

After two petitions to Withdraw the Holding of Abandonment, I received a notification advising me to file a petition to Revive an Unintentionally Abandoned Application.

Because of that, I am currently sending you said petition, and I kindly request that it be granted

Yours sincerely,



Angel Palacios